

REGULAR MEETING NORTH SMITHFIELD TOWN COUNCIL

FEBRUARY 22, 2011

KENDALL-DEAN SCHOOL AUDITORIUM

7:00 P.M.

GOOD & WELFARE

Traffic on Providence Pike and Greenville Road

Mr. Dennis Falardeau of 2002 Providence Pike believes the State of Rhode Island is in violation of a Rhode Island General Law. He had raised concerns regarding the speed of traffic near the intersection of Providence Pike and Greenville Road, both state roads, and he does not feel he has gotten responses from the Administrator, the Council, the police department, Senator Tassoni or Representative Newberry.

REGULAR MEETING

The meeting began at 7:00 P.M. with the prayer and the pledge to the flag. Council members present were Mrs. Charest, Mr. McGee, Mr. Zwolenski and Mr. Yazbak. Ms. Alves was unable to attend due to a business commitment. Also in attendance was Town Solicitor Nadeau. Town Administrator Hamilton was away on vacation.

CONSENT AGENDA

MOTION by Mr. Zwolenski, seconded by Mrs. Charest, and voted 4 to 0 on an aye vote to approve the following items listed under the consent agenda: 1.) Minutes of November 15, December 1, 6, and 20, 2010, January 3, 8 and 18 & February 7, 2011; 2.) Monthly Bills: General Fund - \$361,155.63; Sewer - \$3,936.38; Water - \$5,940.61; Wire

Transfer School Department - \$2,207,700.00 and Wire Transfer Fire Department - \$195,146.67 for a total of \$2,841,857.79. 3.) Invoice for the SCADA project from Fall River Electrical Associates, Request #4, in the amount of \$12,250.00. 4.) Registration cost for RI Land & Water Conservation Summit for Paul H. Soares and Jeffrey Delasanta in the amount of \$80.00. 5.) Budget Committee Minutes for January 6, 20 and 27 & February 3, 5 and 10, 2011. 6.) Conservation Commission Minutes for December 14, 2010 and January 11, 2011. 7.) Historic District Commission Minutes for January 2011. 8.) Animal Control Monthly Report for January 2011 and 9.) Resolutions from the Towns of Burrillville, East Greenwich, Jamestown and South Kingstown.

PUBLIC HEARING RE: WIND TURBINE

Town Planner Robert Ericson stated there are a number of issues that have arisen from wind turbines and he would recommend continuing the hearing another month.

MOTION by Mr. Zwolenski, seconded by Mrs. Charest, and voted 4 to 0 on an aye vote to continue the public hearing to March 21, 2011.

APPLICATION FOR BVL LIQUOR LICENSE – LOTUS LLC

MOTION by Mr. Zwolenski, seconded by Mr. McGee and Mrs. Charest, and voted 4 to 0 on an aye vote to grant a BVL liquor license to Lotus LLC located at 175 Eddie Dowling Highway.

HOLIDAY SALES LICENSE – SUPER SONIC PETS INC.

MOTION by Mrs. Charest, seconded by Mr. Zwolenski, and voted 4 to 0 on an aye vote to approve a holiday sales license to Super Sonic Pets Inc. located at 1435 Victory Highway.

RESOLUTION RE: ORDINANCE DEVELOPMENT COMMITTEE

MOTION by Mr. Zwolenski, seconded by Mrs. Charest, and voted 4 to 0 on a roll call vote to adopt the following resolution as presented:
“Whereas, The Town Council wishes to receive the input of citizens and members of existing boards and commissions to assist in the process of

February 22, 2011

reviewing certain ordinances that impact town zoning and planning; Whereas, The Town Council wishes to create a committee for the purpose of drafting ordinances and amendments to ordinances at the request of the Town Council as part of a process requiring review by the Planning Board and consideration by the Town Council at a public hearing; It is RESOLVED by the Town Council of the Town of North Smithfield as follows: Ordinance Development Committee (a) Creation, General Purpose – The Town Council hereby creates the Ordinance Development Committee for the Town of North Smithfield for the general purpose of developing non-binding recommendations concerning certain ordinances that relate to zoning and planning. The committee shall have no executive or legislative powers. The Ordinance Development Committee shall remain in existence from the date of its creation to December 1, 2012. The Town Council may

further extend the existence of the committee by passage of a new resolution, but in no event shall the term of any member of the committee extend beyond the term of the town Council adopting this or any future resolution. (b) Membership – The committee shall be comprised of seven (7) voting members, as follows, all of whom shall be appointed by the Town Council: 1. A member of the Conservation Commission, who shall be nominated by said board or commission for appointment by the Town Council. 2. A member of the Economic Development Commission, who shall be nominated by said board or commission for appointment by the Town Council. 3. A member of the Planning Board, who shall be nominated by said board or commission for appointment by the Town Council. 4. A member of the Town Council. 5. A member of the Zoning Board, who shall be nominated by said board or commission for appointment by the Town Council. 6. Two (2) members from the public at large. 7. In appointing members, the Town Council shall give consideration to those residents who have specific skills and qualifications that would assist the committee in its tasks. 8. The Town Council member shall serve as the committee's chairperson. The Planning Board member shall serve as the committee's vice chairperson. There shall be a secretary of the committee, who shall be one of the members of the committee and shall be elected by its members, who shall serve to take minutes and perform administrative tasks for the committee, including but not limited to the taking of notes and minutes of the activities of the committee and facilitate compliance with open meetings and other procedures. Minutes shall be filed by the

committee with the town clerk (for distribution to the town council and to the planning and zoning boards). (c) Purposes and Authority – 1. The committee shall be responsible to prepare such recommendations and provide such advice to the Town Council as it shall request. Copies of all recommendations shall be directed to the town planner in electronic format consistent with the Planning Department's document management system. All such recommendations shall be non-binding on the Town Council. 2. The committee shall report its progress, in writing, to the Town Council within thirty (30) days of the end of each quarter, in the form of a status report regarding each item delegated to the committee by the Town Council. The Town Council reserves the right to overrule, revoke, or restrict the committee's scope of work at any time. 3. The Town Planner may provide technical assistance to the committee as requested as long as such assistance does not unreasonably interfere with the performance of the Town Planner's duties as set forth in the Town Charter and Code of Ordinances. (d) Meetings – 1. The committee shall meet periodically and no less frequently than once each month as long as the Town Council has an open request to the committee for its recommendations and advice. Meetings of the committee shall be in compliance with the Open Meetings Act, and its records shall be available in compliance with the Access to Public Records Act. The committee shall allow time at each meeting for comment by the general public.”

NEW PROCESS FOR PAYMENT OF BILLS

Finance Director Brian Silvia explained there is a new column on the monthly bills indicated as “Paid Invoices”. That will include any time sensitive utility bills that needed to be paid prior to the Council meeting. It will also include any contracts that had been approved previously.

February 22, 2011

AMENDMENT TO REDEVELOPMENT AGENCY ORDINANCE

Mr. Nadeau asked if he could obtain a copy of the proposed amendment in a word document so that he could more easily note his recommendations.

Mr. Zwolenski agreed to get that for him.

The first reading was scheduled for March 21, 2011.

APPOINTMENT TO HISTORIC DISTRICT COMMISSION

There was no appointment.

AUDIT FOR YEAR END JUNE 30, 2010

Ms. Debbi Mitchell from Braver PC presented and reviewed the audit for the fiscal year end June 30, 2010.

MOTION by Mr. Zwolenski, seconded by Mr. McGee, and voted 4 to 0 on an aye vote to accept the audit as presented.

PLANNING BOARD RECOMMENDATIONS FOR A CAPITAL BUDGET

There was some concern that the Planning Board was not going to send a recommendation to the Budget Committee for a capital budget so Mr. Yazbak asked Mr. Ericson to look into the matter.

Mr. Ericson provided the motion made at the Planning Board meeting held on February 17th: “The Planning Board has reviewed the department requests and forwards them to the Town Council, noting that a.) the departments did not provide sufficient information on which to make judgments, b.) none provided six (6) year capital improvement programs, and c.) police cruisers typically do not last 10 years and should therefore be in the operating budget.”

Mr. Ericson commented that, under the Charter, the Planning Board reports capital budget recommendations to the Town Council, not the Budget Committee.

RENEWAL OF CONTRACT FOR LAND EVIDENCE RECORDING

MOTION by Mrs. Charest, seconded by Mr. Zwolenski and Mr. McGee, and voted 4 to 0 on an aye vote to renew the five-year contract to ACS based upon the recommendation of the Town Clerk, the Town Administrator and the Finance Director.

MOTION by Mr. Zwolenski, seconded by Mrs. Charest and Mr. McGee, and voted 4 to 0 on an aye vote to authorize the Town Administrator to sign the contract.

Funding for this comes from the Historic Records Preservation account.

APPOINTMENT TO BOARD OF CANVASSERS

Since there are already two Republican Party members on the Board of Canvassers, Town Clerk Debra Todd wrote to Democratic Party Chair Katrina Therien requesting submission of names for appointment of a Democratic Party member.

Ms. Therien did submit the name of Cynthia Jones who is a sitting member. Mrs. Jones, however, has served ten years and per town ordinance is only eligible to serve two additional years.

MOTION by Mr. Zwolenski, seconded by Mrs. Charest, and voted 4 to 0 on an aye vote to approve the nomination of Cynthia Jones to the Board of Canvassers for an additional two years.

REPAIRS TO IRON MINE HILL ROAD

A town resident had requested repairs be made to the westerly end of Iron Mine Hill Road. Its condition has been made considerably worse because of the constant heavy truck traffic associated with National

Grid.

Public Works Director Raymond Pendergast has had several conversations with Margaret Neves, Public Relations Manager for National Grid. The road is in tough shape, and has been for several years, but there doesn't appear to be any noticeable additional deterioration because of the work being performed. With all of the frost heaving going on,

February 22, 2011

they have agreed to reassess the road in the spring. National Grid is willing to work with the town if it is determined the road has been compromised.

DEED RESTRICTION FOR THE HALSTEAD DEVELOPMENT

Mr. Ericson explained one of the conditions for approval of the Slatersville Mill project was that they would have ten percent of the units dedicated for affordable housing, which they did, but they never filed the deed restriction.

MOTION by Mrs. Charest, seconded by Mr. McGee, and voted 4 to 0 on an aye vote to authorize the Town Administrator to sign the deed restriction as explained by Mr. Ericson and that was included in the packet.

QUESTIONS RE: TOWN'S JANUARY FINANCIAL REPORT

Mr. Yazbak had several questions in regards to revenue and expenses of some departments. Specifically, he noted that the revenue of the Building Inspector, Police Department and Miscellaneous Receipts are substantially lower than expected.

Mr. Silvia expects that the Building Inspector's revenue will increase in the spring when, hopefully, more building permits will be issued for Dowling Village.

Mr. Silvia is looking at a projected deficit in the police department. Part of the problem is that money that had previously gone into the town coffers from the Traffic Tribunal from traffic offenses are now being deposited into the Municipal Court account. There had been no consideration in the budget to reduce the revenue of the police department by the amount expected to be gained in the Municipal Court.

Miscellaneous Receipts will continue to show a low figure because the town does not take money from third party billing until after the year is over.

On the expense side, there is an issue with overtime in the police department. Mr. Silvia said Chief Reynolds will be putting a freeze on certain items.

There have been a lot of storms this winter, thus the overage in the

public works department.

Mr. Yazbak felt no purchase requisitions should be approved unless it can be proven the purchase is essential. There should be a spending freeze on all departments.

TECHNOLOGY BUSINESS PLAN PROPOSAL

At a meeting held on February 5th, the School Department presented its budget to the Budget Committee. They are looking to increase their expertise in the IT department and get some help for Eric Butash and Phil Sawyer. It came up at the meeting that the town does not have the benefit in general of the same type of technology director helping them with all their needs. People questioned if it would be possible to bring the town and school together.

Mrs. Charest wondered if the Council would want to bring a technology person on board perhaps under the guidance of Eric Butash and start working together townwide.

Mr. Yazbak thought the town side is spending a lot of money for technology but the responsibility is not centralized and things are going in all different directions. He asked if the Council would entertain discussing with the school department some kind of sharing of personnel.

MOTION by Mrs. Charest, seconded by Mr. McGee and Mr. Zwolenski,

and voted 4 to 0 on an aye vote that Mrs. Charest, Ms. Alves, the Town Administrator and the Finance Director are authorized to come up with a proposal to form a collaborative venture with the school department on technology and a business plan with a goal of having it implemented by July 1, 2011.

February 23, 2011

PAYROLL BUSINESS PLAN PROPOSAL

Mr. Yazbak noted the same types of issues exist with the payroll process.

MOTION by Mrs. Charest, seconded by Mr. Zwolenski and Mr. McGee, and voted 4 to 0 on an aye vote that Mrs. Charest, Ms. Alves, the Town Administrator and the Finance Director come forth with a business plan to combine and to work on getting the payroll processed all at one location, effective for July 1, 2011.

Respectfully submitted,

Debra A. Todd, Town Clerk